

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF MISSOURI
KANSAS CITY DIVISION**

In re:)
THOMAS EDWARD HOST, JR) **Chapter 13**
TRACEY MICHELLE HOST)
) **Case No. 07-40154-jwv**
) **Debtors**)

AMENDED MOTION TO SUSPEND PLAN PAYMENTS

COME NOW Debtors Thomas and Tracey Host through counsel Keith A. Wellman of the law firm Legal Helpers P.C., to present this Motion to Suspend Plan Payments and state as follows:

1. That on January 17, 2007, Debtors filed a petition for relief under Chapter 13 of the U.S. Bankruptcy Code.
2. Debtors are requesting this Honorable Court to suspend Chapter 13 Plan payments in the amount of \$7,915.80.
3. Debtors state that Mr. Host was placed on furlough with his employer, BSNF Railway. He has since received sick pay plus Air Force Reserve compensation of approximately \$1,200 per month, which is approximately \$1,100 per month less than he was receiving at the time of filing. Debtors' plan payment at the time of the default was \$1,185 per month.
4. Debtors state that Mr. Host was injured on the job and had surgery in April, that he was cleared on July 7, 2009 to return to work full time, and that he began a new full time job last week. Debtors are currently gathering the information necessary to amend Schedule I.
5. Debtors state that they can resume making payments immediately.
6. Further, Mr. Host is in the process of a claim against BNSF Railway related to the handling of his on-the-job injury and the debtors intend to contribute settlement or award proceeds if a settlement can be reached or an award obtained.
7. Debtors have amended their plan to complete within 60 months.

WHEREFORE, Debtors request an Order of this Court Granting their Motion to Suspend Plan Payments in the amount of \$7,915.80.

Respectfully Submitted,

/s/ Keith A. Wellman
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NOTICE OF MOTION

Any Response to this Motion must be filed within twenty (20) days of the date of this notice with the Clerk of the United States Bankruptcy Court. Documents can be filed electronically at the <http://ecf.mowb.uscourts.gov> . A copy of such Response shall be served electronically by the Court on the Chapter 13 Trustee and all other parties to the case who have registered for electronic filing. If debtor's counsel is not registered for electronic filing, you must serve the response by mail. If a Response is timely filed, a hearing will be held on a date and time determined by the Court. Notice of such hearing will be provided to all parties in interest. If no Response is filed within twenty (20) days, the Court will enter an Order granting the Motion.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the Debtors' Motion to Suspend Plan Payments along with the above Notice of Motion was served via pre-paid postage or electronic mail, on the following parties on or about September 14, 2009.

/s/ Keith A. Wellman
Keith Wellman 22813KS

Trustee
Richard Fink
Suite 800
818 Grand Blvd
Kansas City, MO 64106-1910

Creditor Matrix